



CHESTER J. CULVER, GOVERNOR  
PATTY JUDGE, LT. GOVERNOR

# STATE OF IOWA

DEPARTMENT OF NATURAL RESOURCES  
RICHARD A. LEOPOLD, DIRECTOR

**MINUTES  
OF THE  
NATURAL RESOURCE COMMISSION  
MEETING**

**JANUARY 8, 2009**

**IOWA DEPARTMENT OF NATURAL RESOURCES  
Henry Wallace Building  
502 E. 9<sup>th</sup> Street  
Des Moines, IA 50319**

### **Call to Order**

The meeting of the Natural Resource Commission was called to order by the Chair, Commissioner Bill Bird, at 8:33 a.m. on January 8, 2009.

Commissioner Bird welcomed the public to the meeting and reviewed the public speaking forum guidelines. He also thanked DNR staff for the informative presentations given the prior day. Ken Herring and Kevin Baskins reviewed information on the proposed Fish & Wildlife Trust Fund License Fee increase, Sustainable Funding, and showed the new educational video 'A Living Legacy'. Michelle Wilson and Don Labate gave updates on Honey Creek State Park Resort construction and budget.

### **Members Present**

William Bird  
Gregory Drees  
Richard (Kim) Francisco  
Elizabeth Garst  
Tammi Kircher  
Carol Kramer  
Janelle Rettig

### **Members Absent**

None

### **1. Approve Agenda**

Moved – Commissioner Francisco  
Seconded - Commissioner Kramer  
Motion – Carried by unanimous vote

### **2. Approve Minutes of 12/11/08**

Moved – Commissioner Kircher  
Seconded - Commissioner Kramer  
Motion – Carried by unanimous vote

### **3. Director's Remarks**

- **Recycling** – The DNR now has designated containers for recycling of cans, bottles, plastic, and paper in the Wallace building thanks to the DNR Green Team.
- **Climate Change Symposium** – Director Leopold has been working on the creation of a new committee group 'State Association of Natural Resources'. This new group will be a result of the Climate Change Symposium 'Understanding the States Roll in Climate Change, Energy & Sustainable Practices' held at Honey Creek Resort in November.
  - Commissioner Garst commented that her understanding from previous meeting minutes was that the symposium in November was regarding only climate control. She asked why there was a need to develop a new association when the Association of Fish & Wildlife already existed. Director Leopold explained that even with the Association of Fish & Wildlife and ECOS (Environmental Council of State) there are agencies nationally that often fall through the cracks and do not

apply under either association. This new association would encompass all areas of natural resources. He noted examples as being Iowa's Forestry and California's Water Resources Agencies. Director Leopold went on to explain that this would create a national association for all states that have any type of holdings in natural resources on a state level. Climate Change would be the central issue; but other issues would be changes in precipitation patterns, wildlife and migration effects, and how we as a society adapt to these changes. Some other topics of discussion may be; how states currently and should in the future use state owned lands, and possible usage of wind turbines by states as either power sources or to be harnessed for sale as a state revenue generating resource. These are the type of topics that have brought state natural resources leaders together; but what is coming out of those discussions is the overwhelming desire to have a common voice of all that manage state land. It was agreed upon by those leaders who have participated that the laws of the 1960's – 1970's era need to be updated.

- Director Leopold has been asked to participate in a Climate Change and Natural Resource Adaptation conference in Washington, DC in February. The conference sponsor will be funding the trip, so out of state budget restraints would not apply. While he is in Washington he also plans to meet with Iowa's Congressional Delegates to discuss economic stimulus packages and infrastructure. As well, he also hopes to set up a meeting with Secretary of Agriculture Tom Vilsack to discuss farm bill programs and NRCS funding.
- **Flood Policy** – In December the Director attended flood workshops in Coralville and in Ames. Discussions surrounded flood policy and the responsibilities of each agency during future flood emergencies.
- **Staffing** – Law Enforcement Bureau Chief Lowell Joslin and Fisheries Bureau Chief Marion Conover both are now officially retired as of December 25<sup>th</sup>, 2008. Interim Bureau Chiefs have been named; Jason Sandholdt - Law Enforcement and Mike Mason – Fisheries. Arnie Sohn has announced his retirement after 30 plus years of service to the DNR. Customer Service Bureau Chief, Sally Jagnandan will continue as the interim Division Administrator for Management Services. The new Deputy Director, Pat Boddy will be here full time at DNR on January 20<sup>th</sup>. She has been coming in to meet with Division Administrators, Bureau Chiefs, and other key staff since December 12<sup>th</sup> while transitioning from Polk County Conservation Board. The Director noted that he feels she will be a great addition to the DNR team.
- **Water Resources Council** – On December 18<sup>th</sup> Governor's Office posted the Water Resources Council. This stemmed from legislation last year that called for the Governor to chair a Water Resources Council made up of federal government, state government, academia, but no stakeholders. The intent of this council is to coordinate future water policy. This will fit very well with the new river basin approach that will be released very soon.
- **Meetings** – The Director, Diane Ford-Shivers and Sharon Tahtinen have been attending leadership meetings with minority and majority leadership as well as key committee leaders to discuss the DNR's agenda for the upcoming legislative session and to get their feedback and answer questions. New structure in the senate has split the natural resources committee into two committees; Senator Dick Dearden will be heading the

- **Rebuild Iowa (RIO)** – This new committee will be headed by Senator Robert Hogg. Discussions between RIO leadership and DNR are taking place. It is thought that some powerful bills and recommendations will result from this new committee; all have major stakes in water issues throughout Iowa.
- **Budget** – The Director has been spending a lot of time on budget issues; though the current information is grim the future is what he would like to focus on. So far there have been two rounds of budget cuts. Statewide things such as a hiring freeze, restrictions on travel, and spending approvals for all membership fees have been implemented. All state agencies were tasked with cutting their budgets by 1.5%. All of this is in combination with the flood damage, infrastructure damage, and lost revenues the DNR experienced following the floods of '08. Plans in place to recoup funds with approval from the Executive Council or an early Legislative session supplement did not materialize. DNR Management is doing everything possible to avoid any furloughs or layoffs.
  - **Tobacco Bonds** – Funding for Honey Creek and the Lake Restoration project both came from the tobacco bonds that failed in December. These bonds will be reissued under different terms, this is very hopeful information.
  - **Honey Creek Resort** – After yesterdays update to the NRC Commissioners; the Director and project lead Michelle Wilson met and agreed that there needs to be meetings held with Central Group to review in depth the current issues at hand and to put in place timelines and triggers in which different actions will be needed.
  - **Future** – As of July 1, 2009 thus far the DNR has been given status queue guidance from the Governor's Office and given the authority to adjust programs as needed internally. Management has discussed scenarios such as a 1.5% budget cut and what kind of impact it would have on programs, it is believed that with some adjusting within some programs things would be okay. State leadership has indicated that Resource Enhancement and Protection (REAP) will be okay.
  - **Fish & Wildlife Trust Fund License Fee Increase** – The NRC Commissioners were presented information the prior days presentation. Public meetings are being scheduled to review the same information to the public; these meetings will be posted on the DNR website as well as reported in many local newspapers throughout Iowa. Public reaction has been approximately 50/50 supportive vs. non-supportive of the increase. Legislative leadership will be imperative for the passing of the proposed bill. The Director does not anticipate the bill to pass as is, but with some manipulations of fees charged something will be settled on.
  - **Sustainable Funding** – The committee report has been finished and will be submitted to the Governor's office this week. Roz Lehman has been hired by as the coordinator of the Sustainable Funding Coalition. Thus far there has been no organized opposition of sustainable funding.
    - Commissioner Garst stated she believed linking sustainable funding to the Fish & Wildlife Trust Fund License Fee Increase would be beneficial to sustainable funding.
    - Director Leopold commented that Ken Herring , Diane Ford-Shivers & Kevin Baskins have all been working very hard to get the message out to

the public and educate them about the need for both sustainable funding as well as the proposed hunting & fishing license fee increase.

Following the Director's remarks was a presentation by Keep Iowa Beautiful Executive Director, Gerry Schnepf. He passed out to the commission their new brochure and DVD with new liter song he asked that they use it or give it to their local schools. At a previous meeting in Indianola Iowa Mr. Schnepf had reported on plans to create the Iowa Parks Foundation which has taken approximately two years to complete. They now have a board consisting of twenty plus members from all over Iowa. The co-chairs are former Governor Branstad and Congressman Neal Smith, and President of the organization Joe Crookham from Oskaloosa. Mr. Schnepf introduced Kent Sovern as the new Executive Director of the Iowa Parks Foundation. Mr. Sovern gave an overview of his history and qualifications. The core idea of the foundation is to re-connect people to the state parks. He thanked the DNR Parks staff for their open willingness to help this foundation succeed. Additional information about the Iowa Parks Foundation may be found at: <http://www.KeepIowaBeautiful.com/stateparks.html>.

#### **4. Honey Creek Resort State Park Monthly Update**

- Michelle Wilson presented updated pictures of cabin construction progress.
  - Interior furnishings are being ordered currently for the cabins
  - Reservations are being flagged by Central Group if a cabin preferred
- Michelle Wilson, Tammie Krausman, and Julie Tack are creating public relations packets that will contain information on construction, budget, green building, etc. the detail will be one that will allow use as educational tool for staff in several bureaus. The information will be provided to the commission as soon as it is available, as well posted on the DNR website.
- Michelle Wilson welcomed the commission's request to continue quarterly meetings with Central Group.
  - Michelle Wilson met after the meeting yesterday about further suggestions/comments from commission.
  - Commissioner Bird suggested establishing a meeting time April or May. All agreed that it is imperative that that be kept up to date on status of the resort.
    - The commission would like to have another meeting in February at the scheduled presentation day in Des Moines to include Central Group management staff as well.
    - Commissioner Rettig suggested holding Honey Creek in depth meetings quarterly either during the scheduled tour/presentation day or the evening prior to regularly scheduled NRC meeting time. Commissioner Garst and Commissioner Kircher both made comments that this is a critical time as the resort is just getting up and running.
  - Commissioner Rettig made comment that the last time she was at the resort she was disappointed not to see informational brochures available on all of the state parks on brochure rack in the front lobby, nor were copies of the Iowa Outdoors magazine in rooms. Honey Creek was to be a portal to the Iowa parks system. This is the DNR's role to make sure information is available for visitors. Michelle Wilson assured Commissioner Rettig that she will have that rectified very quickly.

- Michelle Wilson will be calling a marketing meeting on Monday 1/12/09 to discuss responsibilities of both Central Group and the DNR.
    - Commissioner Garst suggested the meeting to also include local Chamber of Commerce groups; her belief is that a coalition of marketing efforts will not only help the resort but local businesses as well.
      - Michelle Wilson has received from Honey Creek General Manager Jeremie Slagle a listing of Chamber of Commerce groups they are currently members of as well as January and February meeting dates and who is responsible for attending those meetings. Michelle will be accompanying Central Group to these meetings for the next few months. Michelle noted they did not have the Lucas County Tourism Group on their docket and that she has plans to work with Central Group to get them working with new organizations. Michelle understands the importance of broadening the marketing scope and will be working closely with both the DNR communications bureau and Central Group on these efforts.
  - Commissioner Rettig expressed concerns on timing of the reporting from Central Group. Michelle Wilson will be working with Central Group on this. Her plan at this point is to email the reports to the commissioners as soon as she receives and continue to mail the hard copy with the regular NRC meeting agenda packet.
  - Commissioner Kircher reminded Michelle Wilson of the commissions desire to see detailed occupancy information for the current and following months projection.
- Gerry Schnepf commented: “That is an absolutely spectacular place, you are doing it right. Iowan’s ought to be proud.” He will help market it as much as he can.

### **Public Participation**

- Kevin Kelly – Kelly Tree Farm – Clarence, IA – Forest Depredation Program
- Charles Walsh – Burlington, IA – Waterway Speed Zone
- Ruth Kenney- Randolph – Johnston, IA – Iowa State Parks

### **5. Honey Creek: Agreement with Rathbun Lake Resort, Inc.**

The Department requests Commission approval of an agreement between the Iowa DNR and Rathbun Lake Resort, Inc. (RLR) to establish the manner in which funds are collected and spent by RLR, and materials that enhance RLR’s fundraising campaign are created and shared by the parties for Honey Creek Resort State Park (Park). The Agreement will also specify how RLR will repay its loan and make additional funds available for the Park through its fundraising efforts.

In July 2006, the Commission approved Rathbun Lake Resort (RLR) to undertake fund raising efforts, which included the use of naming rights as a form of recognition of facilities at the Park. Attached to this item is the policy that was adopted at that time. At the April 2008 Commission meeting, Carol Bradley from RLR provided updated information on the fundraising efforts of their organization and the continued desire to work with the Department in these efforts.

The Department has developed an agreement with RLR that memorializes the relationship between RLR and the Department with respect to fundraising activities underway at the Park. Attached to this agenda item are Exhibits A and B from this agreement, which outline the facilities at Honey Creek Resort State Park that are eligible for sponsorship, the timelines for the sponsorships, and the specifications for recognition signage (the agreement makes clear that these specifications are subject to change with changing decorative motifs that may be used at the Park). These exhibits are outgrowths of the prior policy adopted by the Commission in July 2006.

This agreement has been reviewed and approved by Rathbun Lake Resort, Inc.

Michelle Wilson  
Honey Creek Project Manager, Executive Officer  
January 8, 2009

*Attachments:*

- \* EXCERPT OF MINUTES FROM JULY 13, 2006: Sponsorship Recognition Policy Adopted by Commission at July 2006 meeting.
- \* Exhibits A and B.

**EXCERPT OF MINUTES FROM JULY 13, 2006:**

**HONEY CREEK RESORT STATE PARK**

Ken Herring, Administrator, Conservation and Recreation Division, presented the following item.

Approval is requested to acknowledge that Rathbun Lake Resort, Inc. (RLR) is a local, nonprofit advisory committee that has agreed to undertake an enormous local fund raising effort to raise 4.0 million dollars towards the Honey Creek Resort State Park. In this endeavor of raising 4.0 million dollars donations of both cash and in-kind materials will be solicited by RLR. RLR has employed the services of Leslie Kline Lukas & associates (LKL) and have completed a feasibility study for raising funds for the project. The report strongly supports the ability for RLR to reach their goal of 4.0 million dollars, and RLR has agreed to negotiate a contract with LKL to assist in these efforts.

Whereas, the legislature appropriated 3 million dollars for the project contingent upon a local non/state funds of 4.0 million could be raised.

In short, the fundraising effort of RLR to generate 4.0 million dollars holds the key to the 3.0 million appropriated by the legislature. This total of 7.0 million dollars is needed immediately if the project is to stay on the projected timeline.

As these gifts are received they will be recognized by RLR who must set up an account to receive the gifts or handle the pledges which may be received over a longer period of time. RLR has agreed to handle this accountability endeavor. In time, all gifts will be received by the NRC for acceptance and recognition.

Secondly, approval is requested to the use of naming rights as a form of recognition for the following items, all which will be constructed components of the new facilities at the Honey Creek Resort State Park:

- Conference Center Rooms (3)
- Individual Board rooms (3)
- Aquatic Center
- Bridge
- Golf Course Club House
- Activities Center Building
- Restaurant
- Lounge
- Lodge Great Room
- Cabins (27)
- Golf Course
- Trail segments
- Picnic shelters (2)
- Boat Ramp
- Swimming Beach
- Observation Tower
- Dock Facilities & Playground

NRC Approval of naming these individual features must be consistent with the policy recently adapted for recognition of special fund raising for capital projects (Item II. B, #7 of our Policy which reads: “Entities which donate a significant contribution to a capital improvement project or new development may negotiate with DNR regarding naming rights subject to approval by the NRC.” Your approval will allow DNR staff to work with RLR and LKL to negotiate acceptable naming opportunities at specific levels of giving.

*Motion was made by Commissioner Francisco to acknowledge that Rathbun Lake Resort, Inc. (RLR) has agreed to undertake a local fund raising effort to raise \$4 million dollars towards the Honey Creek Resort State Park and has employed the services of Leslie Kline Lukas & Associates (LKL), and to approve the use of naming rights as a form of recognition of new facilities at the Honey Creek Resort State Park. Seconded by Commissioner Moore. Motion carried unanimously.*



<b>FUNDRAISING AND NAMING RIGHTS APPROVED</b>
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*Excerpted from Pages 4-6 of the official minutes.*

**EXHIBIT A**  
**PRIVATE DONATION RECOGNITION SPECIFICATIONS**  
**HONEY CREEK RESORT STATE PARK**

<b>FACILITY</b>	<b>FUNDING LEVEL</b>	<b>RECOGNITION</b>	<b>SUNSET DATE</b>
Lodge Great Room	\$250,000	--Signage in the form of artwork --Name on recognition wall --Thank you letter & certificate	Perpetuity
Lodge Conference Center	\$200,000	--Naming Rights --Facility sign on posts --Name on recognition wall --Thank you letter & certificate	Perpetuity
Activities Building	\$50,000	--Facility sign w/sponsor name --Name on recognition wall --Thank you letter & certificate	Perpetuity
Golf Course Clubhouse	\$50,000	--Facility sign w/sponsor name --Name on recognition wall --Thank you letter & certificate	Perpetuity
Lodge Conference Center Ballrooms (3)	\$50,000	--Naming Rights --Sign by door --Name on recognition wall --Thank you letter & certificate	20 years
Lodge Conference Center Meeting Room E	\$30,000	--Naming Rights --Sign by door --Name on recognition wall --Thank you letter & certificate	Perpetuity
Dock – Fishing Dock	\$25,000	--Marina sign w/sponsor names for fishing dock and boat slips --Name on recognition wall --Thank you letter & certificate	20 years
Hiking Trail Creek Crossing	\$25,000	--Sponsor sign @crossing on fence --Name on recognition wall --Thank you letter & certificate	20 years
Lodge Conference Center Meeting Room D	\$25,000	--Naming Rights --Sign by door --Name on recognition wall --Thank you letter & certificate	Perpetuity
RV Campground	\$25,000	--Facility sign w/sponsor name --Name on recognition wall --Thank you letter & certificate	20 years
Beach	\$20,000	--Facility sign w/sponsor name --Name on recognition wall --Thank you letter & certificate	20 years
Cabins – 4BR (7)	\$20,000	--Facility sign w/sponsor name --Name on recognition wall --Thank you letter & certificate	20 years
<b>FACILITY</b>	<b>FUNDING</b>	<b>RECOGNITION</b>	<b>SUNSET</b>

	LEVEL		DATE
Cabin – 4BR ADA	\$20,000	--Facility sign w/sponsor name --Name on recognition wall --Thank you letter & certificate	Perpetual
Cabins – 4BR retreat (2)	\$20,000	--Facility sign w/sponsor name --Name on recognition wall --Thank you letter & certificate	20 years
Lodge Conference Center Meeting Room F	\$20,000	--Naming Rights --Sign by door --Name on recognition wall --Thank you letter & certificate	Perpetuity
Great Lawn	\$15,000	--Metal plaque --Name on recognition wall --Thank you letter & certificate	Perpetuity
Boat Ramp and Dock	\$10,000	--Facility sign w/sponsor name --Name on recognition wall --Thank you letter & certificate	Perpetuity
Cabins – 2BR (13)	\$10,000	--Facility sign w/sponsor name --Name on recognition wall --Thank you letter & certificate	10 years 2-Perpetuity
Cabin – 2BR ADA	\$10,000	--Facility sign w/sponsor name --Name on recognition wall --Thank you letter & certificate	10 years
Golf Course Driving Range	\$10,000	--Etched metal plaque w/sponsor name --Name on recognition wall --Thank you letter & certificate	10 years
Golf Course Holes (18)	\$10,000	--Etched metal plaque w/sponsor name --Name of recognition wall --Thank you letter & certificate	10 years 3-Perpetuity
Golf Course Practice Green	\$10,000	--Etched metal plaque w/sponsor name --Name on recognition wall --Thank you letter & certificate	Perpetuity
Interpretive Hiking Trail (4)	\$10,000	--Fiberglass embedded sign w/all sponsor names --Name on recognition wall --Thank you letter & certificate	10 years 2-Perpetuity
Lodge Conference Center Executive Boardroom	\$10,000	--Naming Rights --Sign by door --Name on recognition wall --Thank you letter & certificate	Perpetuity
Lodge Presidential Suites (2)	\$10,000	--Naming Rights --Sign by door --Name on recognition wall --Thank you letter & certificate	20 years
Lodge Water Park Observation Deck Area	\$10,000	--Sign by door --Name on recognition wall --Thank you letter & certificate	20 years
Picnic Shelter	\$10,000	--Etched metal plaque w/sponsor name --Name on recognition wall --Thank you letter & certificate	10 years
FACILITY	FUNDING	RECOGNITION	SUNSET

	<b>LEVEL</b>		<b>DATE</b>
Playground	\$10,000	--Etched metal plaque w/sponsor name --Name on recognition wall --Thank you letter & certificate	10 years
Cabins – 1BR Loft (4)	\$5,000	--Facility sign w/sponsor name --Name on recognition wall --Thank you letter & certificate	7 years 2-Perpetuity
Lodge Business Center	\$5,000	--Sign by area --Name on recognition wall --Thank you letter & certificate	7 years
Lodge Exercise Room	\$5,000	--Sign by door --Name on recognition wall --Thank you letter & certificate	Perpetuity
Lodge Hallway Gathering Areas 2 <sup>nd</sup> Floor (4)	\$5,000	--Sign by gathering area --Name on recognition wall --Thank you letter & certificate	7 years 2 – 20 years
Lodge Hallway Gathering Areas 3 <sup>rd</sup> Floor (2)	\$5,000	--Sign by gathering area --Name on recognition wall --Thank you letter & certificate	Perpetuity
Lodge Water Park Activity Pool	\$5,000	--Water Park sign w/all water park items and sponsor names --Name on recognition wall --Thank you letter & certificate	7 years
Lodge Water Park Lazy River	\$5,000	--Water Park sign w/all water park items and sponsor names --Name on recognition wall --Thank you letter & certificate	7 years
Lodge Water Park Pirate Ship/Wading Pool	\$5,000	--Water Park sign w/all water park items and sponsor names --Name on recognition wall --Thank you letter & certificate	7 years
Lodge Water Park Slide Tower	\$5,000	--Water Park sign w/all water park items and sponsor names --Name on recognition wall --Thank you letter & certificate	7 years
Lodge Water Park Video Arcade Room	\$5,000	--Sign by door --Name on recognition wall --Thank you letter & certificate	7 years
Lodge Water Park Whirlpool/Hot Tub	\$5,000	--Water Park sign w/all water park items and sponsor names --Name on recognition wall --Thank you letter & certificate	7 years
Dock – Rental Slips (50)	\$1,000	--Marina sign w/sponsor names for fishing dock and boat slips --Name on recognition wall --Thank you letter & certificate	7 years 3 – 20 years
Miscellaneous Gifts Received	\$1,000 (minimum)	Name on recognition wall Thank you letter & certificate	Perpetuity

**EXHIBIT B**  
**PRIVATE DONATION RECOGNITION SIGNAGE SPECIFICATIONS**  
**HONEY CREEK RESORT STATE PARK**

**SPONSORED FACILITY:** Activity Center

**RECOGNITION SIGN:** Santera HT General Information Sign, raised copy, border. Bronze sign with gold copy and border

**DIMENSIONS:** 11.875" x 11.875"

**NUMBER OF LINES FOR SPONSOR NAME:** 2-3 (3 other lines are for name of activity center)

**MAXIMUM # OF CHARACTERS:** 18 – approximately per line – No logos

**COST:** \$100



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**SPONSORED FACILITY:** Clubhouse

**RECOGNITION SIGN:** Santera HT General Information Sign, raised copy, border. Bronze sign with gold copy and border

**DIMENSIONS:** 11.875" x 11.875"

**NUMBER OF LINES FOR SPONSOR NAME:** 3

**MAXIMUM # OF CHARACTERS:** 18 characters per line -- No sponsor logo

**COST:** \$100



**SPONSORED FACILITY:** Cabins 1-28, Boat Ramp, RV Campground, Beach

**RECOGNITION SIGN:** Dibond sign w/digital image of HCR leaf, cabin name/number and sponsor name--placed on cabin; Dibond sign w/digital image of HCR leaf, "RV Campground" and sponsor name—placed at entrance to campground on post(s)

**SIGN DIMENSIONS:** Approximately 20" x 24"

**NUMBER OF LINES FOR SPONSOR NAME:** 1

**MAXIMUM # OF CHARACTERS PER LINE:** 38-40—approximately ¾" tall – No sponsor logo

**COST:** \$100 plus cost of post



**This is only a sample of the sign. It may not reflect the actual sponsor. Final layout and color may change.**

**SPONSORED FACILITY:** Fishing Dock and 50 Dock Slips

**RECOGNITION SIGN:** Dibond sign w/digital image of "Marina", HCR leaf and Sponsor Names (all sponsors will appear on one sign)--placed near marina complex on post(s)

**DIMENSIONS:** Approximately 24" x 24"

**NUMBER OF LINES FOR SPONSOR NAME:** 1

**MAXIMUM # OF CHARACTERS:** Fishing Dock – 28 – approximately ½" tall  
Boat Slips – 28 – approximately ¼" tall  
No sponsor logos for either

**COST:** \$130 plus cost of post



The sign background will resemble the same background as the boat ramp/cabin sign.

**This is only a sample of the sign. It may not reflect the actual sponsors. Final layout and color may change.**

**SPONSORED FACILITY:** Water Park Sponsors –Activity Pool, Lazy River, Pirate Ship/Wading Pool, Slide Tower

**RECOGNITION SIGN:** Dibond sign w/digital image of water park logo and all water park sponsor names, placed in water park

**DIMENSIONS:** Approximately 16” x 24”

**NUMBER OF LINES FOR SPONSOR NAME:** 1 per sponsor

**MAXIMUM # OF CHARACTERS:** 28 – approximately ¾” tall – No sponsor logo

**COST:** \$100



**This is only a sample of the sign. It may not reflect the actual sponsors. Final layout and color may change.**

**SPONSORED FACILITY:** Hiking Trail Creek Crossing

**RECOGNITION SIGN:** Dibond sign w/digital image

**DIMENSIONS:** 10" x 24"

**NUMBER OF LINES FOR SPONSOR NAME:** 1

**MAXIMUM # OF CHARACTERS:** 40, approximately ¾" tall – No sponsor logo

**COST:** \$55 plus cost of post



**This is only a sample of the sign. It may not reflect the actual sponsors. Final layout and color may change.**

**SPONSORED FACILITY:** Golf Course Tee Markers (18); Practice Green, Driving Range, Playground, Picnic Shelter

**RECOGNITION SIGN:** Metal placard affixed to tee marker (or similar rock) for practice green and driving range; Metal placard affixed to small/medium boulder/rock for the playground and picnic shelter

**DIMENSIONS:** Approximately 6.75" x 6.75"

**NUMBER OF LINES SPONSOR NAME TEXT:** 4

**MAXIMUM # OF CHARACTERS:** Approximately 10 per line – No logos

**COST:** \$50

\$150\* – practice green, driving range, playground, picnic shelter

\*includes cost of boulder/rock



**This is a sample of the sign. It may not reflect the actual sponsors. Final layout and color may change.**

**SPONSORED FACILITY:** Interpretive Hiking Trail – 4 sponsors

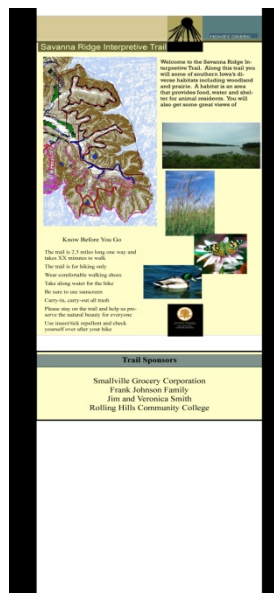
**RECOGNITION SIGN:** Embedded fiberglass sign which lists all 4 sponsors on one sign—separate sign from trailhead marker—placed directly below trailhead sign

**DIMENSIONS:** Approximately 8” x 24” (trailhead sign above is approximately 40” tall)

**NUMBER OF LINES FOR SPONSOR NAME:** 1 per sponsor

**MAXIMUM # OF CHARACTERS:** 30-35 – approximately ¾” tall – No sponsor logo

**COST:** \$150 per sign



**This is a sample of the sign. It may not reflect the actual sponsors. Final layout and color may change.**



**SPONSORED FACILITY:** Great Lawn

**RECOGNITION SIGN:** Santera HT General Information Sign, raised copy, border. Bronze sign with gold copy and border

**DIMENSIONS:** 11.875" x 11.875"

**NUMBER OF LINES FOR SPONSOR NAME:** 2

**MAXIMUM # OF CHARACTERS:** 18 characters per line – No logos

**COST:** \$100 plus cost of post



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**SPONSORED FACILITY:** Ballrooms\* – 3; Conference Center Meeting Rooms\* – 4 (Meeting Rooms D, E, F, Executive Boardroom); Presidential Suites\* (2), Water Park Observation Area, Video Arcade Room, Fitness Center Room, 6 Lodge Gathering Areas—2<sup>nd</sup> and 3<sup>rd</sup> floors

**RECOGNITION SIGN:** Straight edge sign; solid surface w/border, raised optima copy. Sign color is bronze and copy color is gold.

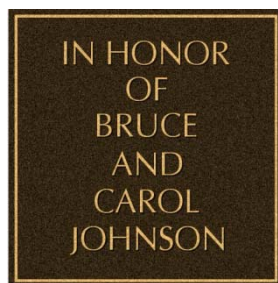
\*Room will be named by sponsor, no logos

**DIMENSIONS:** 7.75" x 7.75"

**NUMBER OF LINES FOR SPONSOR NAME:** 6 (would also include words “ballroom, room”, “suite” for naming rights of conference room, ballrooms, presidential suites)

**MAXIMUM # OF CHARACTERS:** 10 characters per line – No logos

**COST:** \$42



**This is only a sample of the sign. It may not reflect the actual sponsor. Final layout and color may change.**

**SPONSORED FACILITY:** Conference Center

**RECOGNITION SIGN:** Santera HT General Information Sign, raised copy, border. Bronze sign with gold copy and border

Conference Center named by sponsor

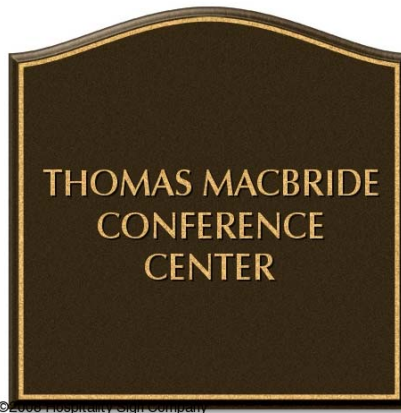
One exterior sign will be posted at each conference center entrance (total of 2 signs)

**DIMENSIONS:** 11.875" x 11.875"

**NUMBER OF LINES FOR SPONSOR NAME:** 1-2

**MAXIMUM # OF CHARACTERS:** 18 characters per line/a – No sponsor logo

**COST:** \$100 each



**This is only a sample of the sign. It may not reflect the actual sponsor. Final layout and color may change.**

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**SPONSORED FACILITY:** Great Room

**RECOGNITION SIGN:** Sponsor recognition in the form of artwork. DNR will work with sponsor to determine final design and location.

**DIMENSIONS:** n/a

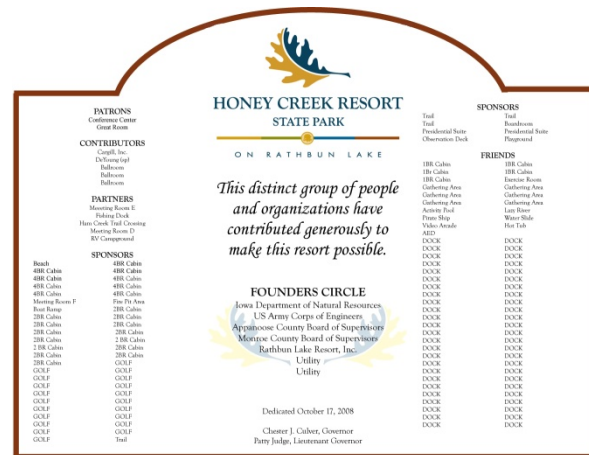
**NUMBER OF LINES FOR SPONSOR NAME:** n/a

**MAXIMUM # OF CHARACTERS:** n/a – No sponsor logo

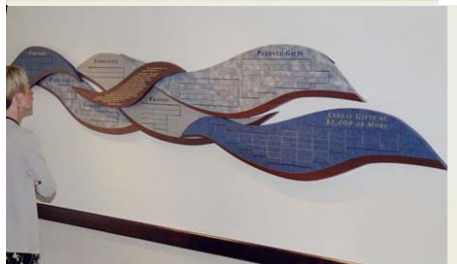
**COST:** n/a

**RECOGNITION WALL**

Decorative recognition plaque located in lodge identifying donors/sponsors. Recognition may be a wall plaque or free standing design. The items below are examples of various recognition and do no reflect the final design of the recognition plaque.



Images below are taken from various manufacturers of recognition walls and are being used as decorative examples only.



Moved – Commissioner Kircher  
 Seconded - Commissioner Drees  
 Discussion – Commissioner Rettig addressed concerns on inconsistency of signage sponsorship fees. Michelle Wilson explained in this agreement included some perpetual sponsorship

agreements already completed Rathbun Lake Resort (RLR). The agreement before the commission takes into consideration those prior commitments. Any new sponsorship agreements will have a lifecycle term. Commissioner Drees asked for an update on RLR's 4million fund raising goal. Michelle reported at the last RLR meeting she attended that have raised \$600,000 of their goal and are still actively recruiting donors. Commissioner Drees asked if there was a timeline to reach the fund raising goal. Michelle has not seen one to date.

Motion – Carried by unanimous vote

## **6. Construction Project: Rathbun Fish Hatchery, Appanoose County – Raw Water Pre-Screen**

### **6.1 Rathbun Fish Hatchery, Appanoose County – Raw Water Pre-Screen**

#### **Bids were opened January 6, 2009, for the following project:**

##### **1. Rathbun Fish Hatchery, Appanoose County – Raw Water Pre-Screen**

This project consists of the aluminum fabrication and installation of a gravity fed system to pre-screen raw water prior to drum screen filtration, and incidental work as required by the Plans and/or the DNR Construction Inspector.

Construction of this project will allow for screening of aquatic life as raw water enters the Rathbun Fish Hatchery from Lake Rathbun. Currently, there is no mechanism for screening gizzard shad and large inflows of shad have been known to plug up the Hatchery's drum screens, causing a disruption in water supply to the Hatchery and contamination of the Hatchery ponds with unwanted fish species. The screen system will separate and divert unwanted fish species to the Hatchery wastewater system.

Project was designed by Jason Kruse and Roger Pothoven and will be inspected by Jason Kruse, District Inspector. DNR estimate is \$35,000. Funding will be provided by Federal Dingle Johnson and REAP Land Management (Capital Link #156). 8 sets of plans were issued. 3 bids were received.

C L Carroll Company Inc	Des Moines, IA	\$30,073.00
Sterk Excavating	Otley, IA	\$33,075.00
EC Inc.	Cedar Rapids, IA	\$34,704.00

Staff recommends the acceptance of low bidder, CL Carroll.

Moved – Commissioner Francisco  
Seconded - Commissioner Drees  
Discussion – None  
Motion – Carried by unanimous vote

### **6.2 Agreement with Dickinson County – East Okoboji Access, Dickinson County –Road Paving and Boat Ramp Parking**

This decision is for the approval of an agreement between the DNR and Dickinson County for the design and construction of a paved road and boat ramp parking area at the East Okoboji

Access. This Parks and Institutional Roads project has been on the books for approximately 8 years. The subject road is a residential road leading to a State owned boat ramp. The State Attorney General has deemed this road to be State property and therefore falls under the P&IR program through the Iowa DOT. The road and its associated storm water drainage system is a part of, and connected to, a much larger County road and storm water project supported by a local TIF program. The State portion of the project represents about 4% of the total project. The decision was made to wait to design and construct the State portion until the TIF funding was approved and in place and to combine the State portion with the County project to take advantage of the economy of scale and to allow for a contiguous design of all systems by the County's design consultant. This will ensure that the storm water drainage and all underground culverts and above ground channels, above and below the State property, will be designed as a complete system. It also eliminated redundancy in design and the possibility of demolition of newly constructed roadwork had the DNR gone ahead and completed the State portion prior to the TIF project. The project will be let by Dickinson County on January 20, 2009.

The agreement with the County will include \$13,000.00 for design fees and a not-to exceed construction estimate of \$165,000.00. The project was designed by the County's consultant, Jacobson-Westergard and Associates of Estherville, Iowa, and the State portion will be inspected by Jeff Felts, District Inspector. Funding will be provided by P&IR and MFT (Capital Link #86).

Staff recommends acceptance of the agreement with Dickinson County.

Don Labate, PE  
Bureau Chief of Engineering  
Management Services Division  
January 8, 2009

Moved – Commissioner Drees  
Seconded - Commissioner Kircher  
Discussion – Commissioner Drees made comment that this is one of the oldest residential subdivisions in the lake area. And the first project in the state where all of the infrastructure is being redone with low impact development, there are many rain gardens and bioswales and lid features implemented in the project. He feels this is a really neat project for the area.  
Motion – Carried by unanimous vote

## **7. Land Acquisition Project Approvals**

### **7.1 East Lake Okoboji, Dickinson County – Land Exchange – Mau Family Limited Partnership**

The Natural Resource Commission is requested to approve an exchange of real estate with Mau Family Limited Partnership. Both tracts are located at East Lake Okoboji in Dickinson County. The State of Iowa land is 6423 square feet. The replacement tract from Mau is 667 square feet.

Steve Schmidt, Licensed Appraiser of Spirit Lake, Iowa, submitted the appraisals. Rick Hansen negotiated the exchange agreement. The appraised value of the State of Iowa land is \$45,000. The appraised value of the replacement land is \$5,000. Mau Family Limited Partnership will pay Iowa DNR a sum of \$40,000.

The State of Iowa tract is a narrow north/south strip reflecting 46 feet of lake frontage as well as asphalt paving extending north and parallel to Mau Marine's existing commercial building. A majority of the tract is utilized for parking related to the Mau Marine business and covered by a Chapter 18 lease.

The replacement tract is also a narrow north/south strip reflecting 7.4 feet of lake frontage positioned adjacent to a bike trail at the end of a former railroad trestle. This land exchange will reduce the area under lease from 8198 square feet to 1775 square feet while providing the Department more area for the existing bike trail.

Mau Family Partnership will pay for the two land surveys required for the land exchange, as well as provide for abstracting, filing fees and real estate transfer tax.

Staff recommends approval of the land exchange.

Moved – Commissioner Rettig

Seconded - Commissioner Francisco

Discussion – Commissioner Rettig asked what surrounding land the state owns and if the current owners lease the land. Realty Services Supervisor Travis Baker explained that the proposed trade is for only 25 feet of the 50 foot strip in question and that the current occupants are under a Chapter 18 lease agreement but that it also includes other land parcels. They have historically paid an overall \$3,152 annually. Commissioner Rettig asked if this was an exchange plus money. Travis Baker responded that was correct, and it would change the lease payment to \$2,388 annually. Changes in the calculation method, for leases, would result in an amount of \$11,031 due annually in the absence of the proposed land exchange. Commissioner Rettig asked for economic clarification, stating by her calculations the DNR would make \$40,000 from selling but if continued leasing would make more profit over time. Travis Baker agreed economically it would be more profitable to lease but by completing the exchange it would protect the portion of the access trail. Commissioner Rettig stated that she is not in favor of selling state land, especially when the state is trying to acquire more land around the lake area. Commissioner Garst asked if this area would still be a viable public lake access if the exchange was not completed. Travis Baker referred to the pictures to demonstrate what would be accessible. Commissioner Drees explained to the commission that even with the pictures it was hard to get the right perspective. The middle of the trail is owned by Mau Marine and stated that it was really more about being a good neighbor with this facility than anything else, the part owned by the DNR now has no conservation value it has been used by Mau Marine under an easement for as long as he could remember as part of their marine operation. He believes that the Mau's have worked closely with the DNR over the years with the dock management areas and paid fees on all of those areas. This would be a good way to clean up the situation. Commissioner Francisco stated that the message from the legislature was that the department was not to be financed off of land leases but to encourage economic development with land leases where they do not cause a

conservation problem. He also agreed that there is no conservation value to this strip of land.

Motion – 5 Ayes

2 No (Commissioner Rettig and Commissioner Kramer)

Carried

## **7.2 Stone State Park— Woodbury County Iowa Natural Heritage Foundation**

The Natural Resource Commission is requested to approve the acquisition of a tract of land located within the city limits of Sioux City adjacent to the south side of Stone State Park. The tract was the subject of a REAP-Public/Private Grant approved by the NRC at their September 2008 meeting. The 24-acre parcel is offered by the Iowa Natural Heritage Foundation for the REAP award of \$48,750.00 (75% of the appraised value). Sellers paid the appraised price of \$65,000.00 for the land.

Licensed appraiser, Robert A. Rosno of Associated Appraisers of Siouxland, Inc., Sioux City, Iowa, appraised both tracts. The purchase agreement was negotiated by Jerry Gibson.

The 24-acre tract is adjacent to the southern boundary of Stone State Park, and is accessed via Wilson Street (gravel). The land has been divided into 3 categories: Areas A, B, & C. The State Archaeologist has declared “A” (3.3 acres) to be a prehistoric Indian Cemetery, and cannot be disturbed. The cemetery was discovered when previous owners were excavating a borrow pit. Area “B” (4.9 acres) is listed as permissible excavation and can be developed. Area “C” (15.8 acres) is listed as “Requiring Archaeological Survey”, and any development of this area requires a development plan to be submitted to the State Archaeologist.

Acquisition funding will be REAP Public/Private cost share. The capital link for this project is #152. Incidental closing costs will be the responsibility of the Department. Real estate acquired by the DNR with REAP funding is eligible to remain on county property tax rolls.

Staff recommends approval of the land acquisition.

Travis Baker, Office of Realty Supervisor  
Management Services Division  
January 8, 2009

Moved – Commissioner Francisco Seconded - Commissioner Drees Discussion – None Motion – Carried by unanimous vote
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**8. Land Management - Chapter 17 Barge Fleeting Lease Renewal - Mississippi River, Louisa County**

The Natural Resource Commission is requested to approve the renewal of Chapter 17 Lease No. 45-R with Matteson Marine Service, Inc., of Burlington, Iowa.

The leased area begins 400 feet downstream of the Minneapolis and St. Louis Railroad Bridge, which is 25 miles south of Muscatine. The site is located at Mississippi River Mile 427.7 in Louisa County. The proposed fleeting area consists of approximately 100 feet of depth by 600 feet of length.

This area has been under a barge fleeting lease since 1988.

A Public Notice was printed in two local newspapers. No comments were received.

The annual fee is \$1,956.00 and will be increased annually based on the percentage increase of the consumer price index. The term of the lease will be five years.

Travis Baker, Office of Realty Supervisor  
Management Services Division  
January 8, 2009

Moved – Commissioner Garst Seconded - Commissioner Rettig Discussion – None Motion – Carried by unanimous vote
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**9. Chapter 21 – Agricultural Lease Program: NOIA**

The Commission is requested to approve this Notice of Intended Action to amend Chapter 21, Agricultural Lease Program. Chapter 21 provides the regulations for the agricultural lease program, which through the use of agricultural leases enhances wildlife habitat and expands recreational opportunities to the public. The program also reduces operating expenses for the Department while providing agricultural producers access to additional lands.

The proposed amendment increases the threshold for which negotiation, as opposed to formal competition, of a lease may be considered by the Department of Natural Resources. This change will provide the Department with more flexibility in selecting appropriate renters.

Travis Baker, Office of Realty Services Supervisor  
Management Services Division  
January 8, 2009

Attachment: Notice of Intended Action: Chapter 21, Agricultural Lease Program

## NATURAL RESOURCE COMMISSION[571]

### Notice of Intended Action

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 21, "Agricultural Lease Program," Iowa Administrative Code.

The proposed amendment increases the threshold for which negotiation, as opposed to formal competition, of a lease may be considered by the Department of Natural Resources.

Any interested person may make written suggestions or comments on the proposed amendment on or before February 17, 2009. Such written materials should be directed to Travis Baker, Department of Natural Resources, Wallace State Office Building, 502 East 9<sup>th</sup> Street, Des Moines, Iowa, 50319-0034; fax (515)281-6749; or e-mail Travis.Baker@dnr.iowa.gov. Persons who wish to convey their views orally should contact Travis Baker at (515)281-8068 or at Mr. Baker's office on the fourth floor of the Wallace State Office Building.

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b." Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

These amendments are intended to implement Iowa Code sections 461A.25, 456A.24(2), and 456A.24(5).

The following amendment is proposed.

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Amend subrule 21.4(7) as follows:

21.4(7) Negotiated leases. The land manager may negotiate a lease with any prospective operator, subject to approval of the director, in any of the following instances:

- a. No bids are received.
- b. Gross annual rent is ~~\$2500~~ 5000 or less.
- c. Where the land acquired by the department is subject to an existing tenancy.
- d. To synchronize the lease period of newly of newly leased areas with other leases in the same management unit.
- e. Where a proposed lease includes only land not accessible to equipment necessary to perform the required farming operations, except over privately owned land, provided the prospective operator possesses legal access to the leased land over said privately owned land.
- f. Where the director authorizes a lease as a condition of a land purchase or trade.

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Date

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Richard A. Leopold, Director

(P:21n.doc/mg)

Moved – Commissioner Garst

Seconded - Commissioner Kircher

Discussion – Commissioner Garst commented that she is supportive of leases that are no till.

Motion – Carried by unanimous vote

## **10. ITB Application Maintenance and Enhancement Contract with Salem Associates**

The Department requests the Commission to approve a contract with Salem Associates to provide application maintenance and enhancement support to the Department's Information Technology Bureau (ITB). The contract shall terminate by January 6, 2010 and shall not exceed \$400,000. This contract represents one of two recommended for award.

The Department uses over 100 different applications, most of which were developed by an outside vendor, and ITB does not have staff resources in place for application development and maintenance for all of these applications. The current practice is for bureaus in need of assistance to contract separately with vendors to provide these services. Not only can these individual processes take time, but they do not allow the Department to take advantage of economies of scale by providing vendors more work. This current contract will allow the Department to have the appropriate support resources available on an "as needed" basis and will guarantee better oversight of this work with input from ITB. The Department initiated the process of consolidating all application maintenance services in November of 2007 by awarding two contracts for 1,200 hours. This contract now consolidates additional work which had been done under other contracts.

The Department shall pay Salem Associates at a rate not to exceed \$85 per hour, with most services anticipated to be billed at \$75 per hour for not more than 5,000 hours. Program bureaus will be responsible for paying for the services from their own budgets.

Five companies responded the RFP to provide C# .Net, Java, SQL Server 2005 and Oracle development and technical writing services. After review of the resumes by a team of three DNR staff, two companies were selected for interviews. ITB then selected two different companies with varying types of expertise to be able to address the complete needs of the Department.

Sally Jagnandan, Interim Administrator  
Management Services Division  
January 8, 2009

Moved – Commissioner Francisco

Seconded - Commissioner Drees

Discussion – Commissioner Rettig expressed concerns about the amount to be spent on outside contractors for IT support when the state is facing budget cuts upwards of 7%. Commissioner Kramer agrees. DNR Information Technology Bureau Chief, Rick Hindman explained how the contract is negotiated as well as explained how it would be funded. Only 10% would come from state general funds.

Motion – Carried by unanimous vote

## **11. ITB Application Maintenance and Enhancement Contract with Diamondhead Documentation**

The Department requests the Commission to approve a contract with Diamondhead Documentation to provide application maintenance and enhancement support to the Department's Information Technology Bureau (ITB). The contract shall terminate by January 6, 2010 and shall not exceed \$100,000.

The Department uses over 100 different applications, most of which were developed by an outside vendor, and ITB does not have staff resources in place for application development and maintenance for all of these applications. The current practice is for bureaus in need of assistance to contract separately with vendors to provide these services. Not only can these individual processes take time, but they do not allow the Department to take advantage of economies of scale by providing vendors more work. This current contract will allow the Department to have the appropriate support resources available on an "as needed" basis and will guarantee better oversight of this work with input from ITB. The Department initiated the process of consolidating all application maintenance services in November of 2007 by awarding two contracts for 1,200 hours. This contract now consolidates additional work which had been done under other contracts.

The Department shall pay Diamondhead Documentation at a rate not to exceed \$50 per hour for technical writing services, for not more than 2,000 hours. Program bureaus will be responsible for paying for the services from their own budgets.

Five companies responded the RFP to provide C# .Net, Microsoft Reporting Services and SQL Server 2000 development and technical writing services. After review of the resumes by a team of three DNR staff, three companies were selected for interviews. ITB selected two different companies with varying types of expertise to be able to address the complete needs of the Department. This contract represents one of those two recommended for award.

Sally Jagnandan, Interim Administrator  
Management Services Division  
January 8, 2009

Moved – Commissioner Kircher Seconded - Commissioner Francisco Discussion – None Motion – Carried by unanimous vote
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## **12. Chapter 8 – Contracts for Public Improvements and Professional Services: NOIA**

The Commission is requested to approve this Notice of Intended Action to amend chapter 8, Contracts for Public Improvements and Professional Services. Chapter 8 provides the regulations for entering into contracts for public improvements and professional services.

The proposed new chapter will adopt by reference changes to 561 IAC chapter 8. The amendments change the threshold amount for which the Department of Natural Resources must seek approval from the Natural Resources Commission for public improvement projects and make other small modifications to align the bidding requirements with Iowa Code chapter 26. The thresholds are in line with changes to Iowa Code chapter 26.

The Department is in the midst of revising and updating the entire chapter related to contracting rules to ensure compliance with applicable state law and to improve the clarity of the rules, and will be seeking approval from the Commission in the future for more extensive changes. The Department, however, is moving forward with these proposed smaller changes to the public improvement portions of the rule at this time to accommodate the upcoming construction season.

Kelley Myers, Attorney  
Legal Services Bureau  
January 8, 2009

### *Attachments:*

Notice of Intended Action: Chapter 8, Contracts for Public Improvements and Professional Services

Notice of Intended Action: 561 IAC Chapter 8, Contracts for Public Improvements and Professional Services

## **NATURAL RESOURCES COMMISSION[571]**

### **Notice of Intended Action**

Pursuant to the authority of Iowa Code subsection 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to rescind Chapter 8, “Contracts for Public Improvements and Professional Services,” and adopt a new Chapter 8 with the same title, Iowa Administrative Code.

The proposed new chapter will adopt by reference changes to 561 IAC chapter 8. The amendments change the threshold amount for which the Department of Natural Resources must seek approval from the Natural Resources Commission for public improvement projects and make other small modifications to align the bidding requirements with Iowa Code chapter 26. The thresholds are in line with changes to Iowa Code chapter 26.

Any interested person may make written suggestions or comments on the proposed amendment on or before February 17, 2009. Such written materials should be directed to Kelley Myers, Department of Natural Resources, Wallace State Office Building, 502 East 9<sup>th</sup> Street, Des Moines, Iowa, 50319-0034; fax (515)281-7147; or e-mail Kelley.Myers@dnr.iowa.gov. Persons who wish to convey their views orally should contact Kelley Myers at (515)281-5634 or at Ms. Myers’ office by visiting the fourth floor of the Wallace State Office Building.

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section

17A.4(1)“b.” Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

The following amendment is proposed.

Rescind 571—Chapter 8 and adopt the following **new** Chapter 8 in lieu thereof:

## CHAPTER 8 CONTRACTS FOR PUBLIC IMPROVEMENTS AND PROFESSIONAL SERVICES

**571—7.1(17A) Adoption by reference.** The commission adopts by reference 561—Chapter 8, Iowa Administrative Code, as amended through March 25, 2009.

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Date

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Richard A. Leopold, Director

(P:8n.doc/mg)

### DEPARTMENT OF NATURAL RESOURCES [561]

#### Notice of Intended Action

Pursuant to the authority of Iowa Code subsection 455A.4, the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 8, “Contracts for Public Improvements and Professional Services,” Iowa Administrative Code.

The proposed amendment will change the threshold amount for which the Department of Natural Resources may approve public improvement projects and make other small modifications to align the bidding requirements with Iowa Code chapter 26. The thresholds proposed are in line with changes to Iowa Code chapter 26.

Any interested person may make written suggestions or comments on the proposed amendment on or before February 17, 2009. Such written materials should be directed to Kelley Myers, Department of Natural Resources, Wallace State Office Building, 502 East 9<sup>th</sup> Street, Des Moines, Iowa, 50319-0034; fax (515)281-7147; or e-mail Kelley.Myers@dnr.iowa.gov. Persons who wish to convey their views orally should contact Kelley Myers at (515)281-5634 or at Ms. Myers’ office by visiting the fourth floor of the Wallace State Office Building.

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.” Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

The following amendments are proposed.

**ITEM 1.** Amend Rule 561 – 8.2(17A,26,455B,456A,461A,473) as follows;

**561—8.2 (17A,26,455B,456A,461A,473) Contracts for public improvements.**

**8.2(1) Definition.** As used in these rules, “public improvement” means any building or construction work, including road or bridge construction, reconstruction and maintenance, to be paid for in whole or in part by the use of state funds. Iowa Code section 23.21, relating to reciprocal resident bidder preference, shall apply to department contracts for public improvements.

**8.2(2) Invitation for bids.** When the total cost of a public improvement project exceeds the

sum of ~~\$25,000~~100,000 as estimated by the department ~~or the construction services bureau of the administrative services division~~, the department shall advertise for sealed bids by publishing a notice in at least one newspaper of statewide circulation, one newspaper published in the county seat of the county in which the work is to be done and such other means as may be appropriate in sufficient time to enable prospective bidders to prepare and submit bids, provided that one of said notices shall be not less than 15 days prior to the date set for receiving bids. Where work is to be done under the contract in more than three counties, the requirement of publication in the county seat shall not be required so long as other means of notice to bidders is given, as in trade journals or other such means. Plans, specifications and the contract form shall be provided to all prospective bidders as provided in the invitation for bids utilize the competitive bid process identified in Iowa Code chapter 26.

— ~~8.2(3) Invitation for bids.~~ The invitation for bids must state the following items:

— ~~a.~~ The time and place for filing sealed proposals.

— ~~b.~~ The time and place sealed proposals will be opened and considered on behalf of the department.

— ~~c.~~ The general nature of the public improvement on which bids are requested.

— ~~d.~~ The general terms when the work must be commenced and when it must be completed.

— ~~e.~~ Any further information or requirements which the department deems pertinent or advisable.

All sealed bids shall be publicly opened as specified in the notice to bidders. The bids shall be tabulated and made available in a written form to any interested party.

~~8.2(43) Solicitation of quotations.~~ Competitive quotations may be solicited on public improvement projects estimated by the department to cost less than \$25,000. At least three quotations shall be solicited unless there are an insufficient number of local, qualified contractors interested in the project. If the estimated total cost of a public improvement is one-hundred thousand dollars or less, the department shall utilize the competitive quotation process identified by Iowa Code section 26.14, as may be amended. The department shall utilize this competitive quotation process for public improvement contracts below the amount designated by Iowa Code section 26.14(2).

~~8.2(5) Failure to receive a qualified bid or quotation.~~ In the event that no qualified sealed bids or quotations are received, the department may negotiate a contract with a qualified contractor.

~~8.2(6) Exceptions to the requirement for bids or quotations.~~ The director may authorize the negotiation of a contract for a public improvement project without first soliciting quotations or advertising for bids under the following circumstances:

— ~~a.~~ If the contemplated project involves the provision of utility services or the construction of a utility system and it would not be practicable to allow someone other than the utility company to perform the work.

— ~~b.~~ Where competition is precluded because of patent rights, secret processes, or control of basic raw materials.

— ~~c.~~ Where the project involves work of such a specialized nature that only one firm or person can reasonably be expected to accomplish it.

— ~~d.~~ Where the service or product is provided by a nonprofit private corporation, a governmental body or an educational institution.

— ~~e.~~ When emergency repair of a public improvement is necessary and delay for advertising or solicitation of quotations might cause serious loss or injury to the state. only as the law allows.

ITEM 2. Amend subrule 8.4(1) as follows:

**8.4(1) Contract approval.** All contracts for ~~public improvement~~ or professional services in excess of \$25,000 shall be approved by the director and the appropriate commission if required by statute. All contracts for public improvements in excess of \$100,000 shall be approved by the director and the appropriate commission. Professional services ~~contracts~~ less than \$25,000 shall be approved by the director and the appropriate commission only if required by statute or rule of the commission.

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Date

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Richard A. Leopold, Director

Moved – Commissioner Francisco

Seconded - Commissioner Drees

Discussion – Commissioner Rettig asked for clarification between a project bid vs. quotation. Engineering Bureau Chief Don Labate explained that the logistics of the bid range would remain the same as this is what is submitted by a wide range of contractors on a quotation if all bids received were above \$100,000 it would have to be done as a full project. Attorney Kelley Myers gave further explanation of the new purposed bidding process on these types of projects. Don Labate stated that they do maintain a list (DNR project notification mailing list) of contractors that are interested in certain types of small projects and generally utilize that list if a project will not be up for public or formal bid, they try and include as many contractors as possible. They are also required by law to post small projects totaling \$25,000 and above. Kelley Myers commented that the law says projects over \$100,000 must be approved prior to award, if under \$100,000 notification after award. The proposed change will streamline the process making the DNR threshold consistent with other state agencies, as well making the process easier for contractors. Commissioner Francisco commented though he understands the initial ‘sticker shock’ of going from \$25,000 to \$100,000 it is in large part due to the fact the system has not been changed in 20 years to keep up with inflation. Kelley Myers explained that when the legislature adopted Iowa’s Code Chapter 26 decided that \$100,000 was that amount even though they do not often articulate a threshold in law they left that to the Department of Administrative Services (DAS) to define by rule. DAS decided that number would be \$50,000 for professional services, but for public improvements which do involve much more in the bidding process and which are usually and typically extensive projects the legislature decided \$100,000 was the amount for these type of projects. Commissioner Rettig stated she wants to see competitiveness in these small project bids, so that if a problem ever arises the ability to reevaluate.

Commissioner Kramer stated that she would like the amount increased to \$50,000 only.

Motion – Aye – 6

No – 1 (Commissioner Kramer)



### **13. Chapter 40 - Speed & Distance Zoning, Burlington: Final**

The Commission is asked to amend Chapter 40, "Speed & Distance Zoning," Iowa Administrative Code. This amendment has been requested by the City of Burlington for the creation of a five mile per hour speed zone on the Mississippi River to be located within the City of Burlington. The area being proposed is an historic riverfront and also contains two municipal boat ramps and public dock areas. The speed zone will extend no further than approximately 150 feet west of the barge channel.

The City of Burlington requested this amendment to help preserve the aesthetics of the historic frontage as well as to protect the safety of the public who use the docks and boat ramp for water recreation purposes.

No comments were received at either of the public hearings held in Burlington and Des Moines, and no changes were made to the Notice of Intended Action.

Jason Sandholtd, Interim Law Enforcement Bureau Chief  
Conservation and Recreation Division  
January 9, 2009

*Attachment:*

Final: Chapter 40 – Speed and Distance Zoning Rule

#### **NATURAL RESOURCE COMMISSION[571] Adopted and Filed**

Pursuant to the authority of Iowa Code section 455A.5(6), the Natural Resource Commission hereby amends Chapter 40, "Boating Speed and Distance Zoning," Iowa Administrative Code.

This amendment was requested by the City of Burlington in Des Moines County to establish a five-mile-per-hour speed zone on the Mississippi River by placement of regulatory buoys in such a way as to define the speed zone area that will be located between the north city docks/boat ramp and the south city docks/boat ramp. The marker buoys will be placed no farther than 150 feet from the shoreline and approximately 150 from the west edge of the barge channel.

Notice of Intended Action was published in the Iowa Administrative Bulletin on November 25, 2008, as ARC 7309B. Public hearings were held at the Wallace State Office Building on November 25, 2008, and locally by the City of Burlington on November 3, 2008. No comments were received at either of the public hearings, and no changes were made to the Notice of Intended Action.

This amendment is intended to implement Iowa Code section 462A.17 and 462A.26.

The following amendment will become effective March 6, 2009.

The following amendment has been adopted.

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Adopt the following new rule 571—40.56(462A):

571--40.56(462A) Zoning of Mississippi River, Des Moines County, city of Burlington.

All vessels shall be operated at a speed no greater than five miles per hour within the area designated by marker buoys or other approved uniform waterway markers beginning at the north city boat ramp and public dock and extending downstream to the south city boat ramp and public

dock. The zoned area shall extend no farther than 150 feet from the shore and approximately 150 feet west of the edge of the barge channel. The city of Burlington shall designate the five-mile-per-hour speed zone with buoys approved by the natural resource commission.

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Date

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Richard A. Leopold, Director

(P:40f.doc/mg)

Moved – Commissioner Garst

Seconded - Commissioner Kramer

Discussion – Commissioner Kircher asked under code what would the violation penalty be.

Steve Derman responded it would be a water navigation violation which is a misdemeanor and fine of \$50 to \$60.

Motion – Carried by unanimous vote

#### **14. Concession Contract Amendment – Storm Lake Marina**

The Department requests Commission approval of a concession contract amendment for Bob Kelly, dba Shamrock Boat Sales at Storm Lake Marina in Buena Vista County. The amendment would extend Mr. Kelly's contract one additional year. The current contract runs through December 31, 2012. The amendment would extend the the contract through December 31, 2013. Staff received the request from Bob Kelly, concession operator at Storm Lake Marina, for the one-year extension to his concession contract for due to the delayed construction of marina facilities. The Request for Proposal (RFP) indicated that construction of the marina facilities would be completed by June 30, 2008 and that the Department expected the concession operation to be fully operational by July 15, 2008. A series of construction delays, including inclement weather, prohibited the Department from completing the construction of all marina facilities by the date indicated in the RFP. Construction continued into the fall. As a result, Mr. Kelly was not able to fully operate the facilities by July 15, 2008.

Kevin Szcodronski, Parks Bureau Chief  
Conservation and Recreation Division  
January 8, 2009

Moved – Commissioner Rettig

Seconded - Commissioner Kircher

Discussion – Commissioner Drees asked it had opened at all. Sherry Arntzen explained they had been open but had only 1-2 pontoon rentals, due to boat ramp construction delays, paving in the parking lot, and the fuel tanks were not installed at that point not any other business.

Motion – Carried by unanimous vote

## **15. Chapter 61 - State Parks and Recreation Areas: NOIA**

The Department requests Commission approval for publication of a Notice of Intended Action to amend Chapter 61, State Parks and Recreation Areas. The amendment updates the camping fee breakdown to accommodate the 1% increase in the state sales tax. The overall camping fee did not increase. The amendment increases the camping cabin fee for camping cabins at Pleasant Creek State Recreation Area to be the same as all other camping cabins with the same amenities. The amendment also establishes new cabin rental fees for new cabins being built at Nine Eagles and Pine Lake state parks and the new rental cabin at Springbrook State Park which is the Scherburne house which is under renovation. Lastly, the amendment exempts the multi-family cabins at Pine Lake and Springbrook state parks from the week-stay requirement and adds provisions regarding minimum stay requirements for weekends during the summer season, and the three major holiday weekends during the summer for multi-family cabins.

Kevin Szcodronski, Parks Bureau Chief  
Conservation and Recreation Division  
January 9, 2009

*Attachment(s):*  
NOIA Chapter 61 "State Parks and Recreation Areas"

### DEPARTMENT OF NATURAL RESOURCES [571] Notice of Intended Action

Pursuant to the authority of Iowa Code 455A.5(6), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 61, "State Parks and Recreation Areas," Iowa Administrative Code.

The amendment updates the camping fee breakdown to accommodate the state sales tax increase to six percent (no fee increase), establishes new cabin rental fees for new cabins which are under construction at Pine Lake, Nine Eagles and Springbrook state parks and increases the camping cabin fee at a Pleasant Creek State Recreation Area to the same fee as other state park camping cabins. The amendment also establishes minimum stay requirements for the multi-family cabins including a two-night minimum stay requirement throughout the year, a Friday/Saturday stay requirement for summer season weekends, and a three-night stay requirement for Memorial Day weekend, 4<sup>th</sup> of July weekend and Labor Day weekend.

Any interested person may make written suggestions or comments on the proposed amendments on or before March 3, 2009. Such written material should be directed to the State Parks Bureau; Department of Natural Resources; 502 East Ninth Street; Wallace State Office Building; Des Moines, Iowa 50319-0034; fax (515)281-6794. Persons who wish to convey their views orally should contact the Bureau at (515)242-6233 or at the State Parks Bureau offices on fourth floor of the Wallace State Office Building.

There will be a public hearing on March 3, 2009 at 10 a.m. in the Fourth Floor East Conference Room in the Wallace State Office Building, at which time persons may present their views orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend a public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department of Natural Resources and advise of specific needs.

These amendments are intended to implement Iowa Code Sections 461A.3, 461A.47 and 461A.57.

The following amendments are proposed.

**ITEM 1.** Amend subrule 61.4(1) as follows:

**61.4(1) Fees.** The following are maximum per-night fees for camping in state parks and recreation areas. The fees may be reduced or waived by the director for special events or special promotional efforts sponsored by the department of natural resources. Special events or promotional efforts shall be conducted so as to give all park facility users equal opportunity to take advantage of reduced or waived fees. Reductions or waivers shall be on a statewide basis covering like facilities. In the case of promotional events, prizes shall be awarded by random drawing of registrations made available to all park visitors during the event. In areas subject to a local option sales tax, the camping fee shall be administratively adjusted so that persons camping in those areas will pay the same total cost applicable in other areas.

	<u>Fee</u>	<u>Sales Tax</u>	<u>Total Per Night</u>
<i>a.</i> The following fees shall be in effect from May 1 to September 30 each year.			
Nonmodern	<del>\$ 8.57</del> <u>8.49</u>	<del>.43</del> <u>.51</u>	\$ 9.00
Modern	<del>10.48</del> <u>10.38</u>	<del>.52</del> <u>.62</u>	11.00
<i>b.</i> The following fees shall be in effect from October 1 to April 30 each year.			
Nonmodern	<del>5.71</del> <u>5.66</u>	<del>.29</del> <u>.34</u>	6.00
Modern	<del>7.62</del> <u>7.55</u>	<del>.38</del> <u>.45</u>	8.00
<i>c.</i> Electricity	<del>4.76</del> <u>4.72</u>	<del>.24</del> <u>.28</u>	5.00
This fee will be charged in addition to the camping fee on sites where electricity is available (whether it is used or not).			
<i>d.</i> Organized youth group campsite, per group	<del>14.29</del> <u>14.15</u>	<del>.71</del> <u>.85</u>	15.00
<i>e.</i> Cable television hookup	<del>1.90</del> <u>1.89</u>	<del>.10</del> <u>.11</u>	2.00
<i>f.</i> Sewer and water hookup	<del>2.85</del> <u>2.83</u>	<del>.15</del> <u>.17</u>	3.00
<i>g.</i> Additional fee for campgrounds designated for equestrian use	<del>2.85</del> <u>2.83</u>	<del>.15</del> <u>.17</u>	3.00
This fee is in addition to applicable fees listed above.			
<i>h.</i> Camping tickets (per book of seven)	<del>86.67</del> <u>85.85</u>	<del>4.33</del> <u>5.15</u>	91.00

Camping tickets shall be valid for one year from the month of purchase. Persons using valid camping tickets purchased prior to any fee increase will not be required to pay the difference due to that fee increase.

**ITEM 2.** Amend paragraph 61.5(1)''a'' as follows:

a. Cabin rental. This fee does not include tax. Tax will be calculated at time of final payment.

	<u>Per Night*</u>	<u>Per Week</u>
Backbone State Park, Delaware County		
Renovated modern cabins	\$ 50	\$300
Two-bedroom modern cabins	85	510
Deluxe cabins	100	600
Black Hawk State Park, Sac County	100	600
Dolliver Memorial State Park, Webster County	35	210
Green Valley State Park, Union County	35	210
Honey Creek State Park, Appanoose County	35	210
Lacey-Keosauqua State Park, Van Buren County	50	300
Lake Darling State Park, Washington County	35	210
Lake of Three Fires State Park, Taylor County	50	300
Lake Wapello State Park, Davis County (Cabin Nos. 1-12)	60	360
Lake Wapello State Park, Davis County (Cabin No. 13)	85	510
<u>Nine Eagles State Park, Decatur County</u>	<u>75</u>	<u>450</u>
Lake Wapello State Park, Davis County (Cabin No. 14)	75	450
Palisades-Kepler State Park, Linn County	50	300
Pine Lake State Park, Hardin County		
<u>Multi-family cabin</u>	<u>200</u>	<u>1200</u>
Studio cabins (four-person occupancy limit)	65	390
One-bedroom cabins	75	450
Pleasant Creek State Recreation Area, Linn County	<del>25</del> <u>35</u>	<del>150</del> <u>210</u>
Prairie Rose State Park, Shelby County	35	210
Springbrook State Park, Guthrie County	<del>35</del> <u>200</u>	<del>210</del> <u>1200</u>
Stone State Park, Woodbury County	35	210
Waubonsie State Park, Fremont County		
Two-bedroom modern cabins	85	510
One-bedroom modern cabin	60	360
Two-bedroom camping cabins	50	300
One-bedroom camping cabin	35	210

	<u>Per Night*</u>	<u>Per Week</u>
Camping cabin	25	150
Wilson Island State Recreation Area, Pottawattamie County	25	150
Extra cots, where available	1	

\*Minimum two nights

**ITEM 3.** Amend paragraph 61.5(3)“b” as follows:

*b.* Rental stay requirements for cabins and yurts.

(1) Except as provided in ~~subparagraph~~ subparagraphs 61.5(3)“b”(2) and 61.5(3)“b”(3), cabin reservations must be for a minimum of one week (Friday p.m. to Friday a.m.) beginning the Friday of the national Memorial Day holiday weekend through Thursday after the national Labor Day holiday. From the Friday after the national Labor Day holiday through the Thursday before the national Memorial Day holiday weekend, cabins may be reserved for a minimum of two nights.

(2) The cabins at Dolliver Memorial State Park; the camping cabins at Brushy Creek, Pleasant Creek and Wilson Island State Recreation Areas and Green Valley, Honey Creek, Lake Darling and Stone State Parks; the yurts at McIntosh Woods State Park; and the group camps at Dolliver Memorial and Lake Keomah State Parks may be reserved for a minimum of two nights throughout the entire rental season.

(3) The multi-family cabins at Pine Lake and Springbrook state parks may be reserved for a minimum of two nights throughout the entire rental season with the following exceptions:

1. From the Friday of the national Memorial Day holiday weekend through the Thursday after the national Labor day holiday, Friday and Saturday night stay is required for weekends.

2. A Friday, Saturday, Sunday night stay is required for the national Memorial Day holiday and national Labor Day holiday weekends.

3. A Thursday, Friday, Saturday stay is required for the fourth of July holiday if the fourth of July occurs on a Thursday, Friday or Saturday.

4. A Friday, Saturday, Sunday night stay is required for the fourth of July holiday if the fourth of July occurs on a Monday.

~~(3)~~ (4) All unreserved cabins, yurts and group camps may be rented for a minimum of two nights on a walk-in, first-come, first-served basis. No walk-in rentals will be permitted after 6 p.m.

~~(4)~~ (5) Reservations or walk-in rentals for more than a two-week stay will not be accepted for any facility.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Richard A. Leopold, Director

(61n1.doc/mg)

<p>Moved – Commissioner Rettig  Seconded - Commissioner Drees  Discussion – Commissioner Francisco asked if there was a price reduction for multi-family</p>
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cabins if only 1 family stayed. Sherry Arntzen responded no, rates are set by type of cabin not by number of guests. Commissioner Rettig would like to see a one page cabin quick guide created to encompass the variety of cabins offered at the state parks and the price ranges. Commissioner asked about the requirement to pay sales tax but not hotel/motel tax. Why would hotel/motel tax be required at the Honey Creek Cabins? Kelley Myers responded that there is a distinction based on amenities offered at a facility that dictates if hotel/motel tax will be charged. Director Leopold suggested that all facilities to be reviewed to assure appropriateness of taxes being charged. Kelley Myers explained that the DNR Budget & Finance Bureau has been working with the Department of Revenue over the last year on a number of tax issues to ensure that the DNR has been reporting appropriately. Kelley Myers and Sherry Arntzen will conduct a further analysis of the fees in question.

Motion – Carried by unanimous vote

## **16. 2008 REAP Conservation Education Program Grants**

Annually, the first \$350,000 of the REAP appropriation is dedicated to conservation education. A conservation education board of five representatives of the following organizations determines how those funds are expended, under the REAP Act and administrative rules: DNR, Dept. of Education, Association of County Conservation Boards, Iowa Association of Naturalist, and the Iowa Conservation Education Council.

In its 20-year history, that board has issued almost \$7.35 million in grants to Iowa educators and education institutions. An explanation of grants in recent years and a full explanation of the program can be found at [www.iowareap.com](http://www.iowareap.com). The board meets in June and November to issue grants on a competitive basis. With FY 09 funding, the board approved the grants below in June and December. Not listed is a \$30,000 annual contract with Susan Salterberg of UNI's Center for Energy and Environmental Education to monitor grant progress, assist grantees in completing their grants, and market the grant's success to other educators.

### **May 2008 Approved**

<b>Applicant</b>	<b>Title</b>	<b>Total Grant</b>	<b>Request</b>
UNI (Salterberg)	Community Reading and Environment Celebrations	62,321	17,515
Winneshiek CCB	Fit Environment	235,078	27,571
UNI (Bollwinkel)	Iowa's Roadside Native Communities: Savanna	121,477	39,734
Iowa Academy of Science	Iowa Project WET Workshops	42,933	24,851
Friends of Hartman Reserve	Mountain Lions in Iowa	56,933	33,342
ICEC	Winter Solstice 2009 - No Child Left Inside	59,732	19,082
Metro Arts Alliance of Greater Des Moines	Green Arts Project	80,850	20,000
<b>TOTAL</b>		<b>659,324</b>	<b>182,095</b>

## November 2008 Approved

Applicant	Title	Total Grant	Request
UNI (Bollwinkel)	Prairies in Progress III - Savanna	57,849	15,704
Saving Our Avian Resources	Expanding the Eagle's Message: Lead in	39,360	4,950
Conservation Districts of	the Environment Advisory Group		
Iowa	Innovating Outreach to Iowa's Non-	93,230	50,000
	operating Landowners		
Iowa 4-H Foundation	Creating an Environmental Education	34,720	26,360
UNI Office of Sponsored	Model		
Programs	Waste, Lifecycles & Conservation Teacher	68,080	28,573
Little Sioux Valley	Training Initiative		
Conservation Association	KinderNature in Your Backyard	21,250	5,000
Trees Forever	Growing Futures Youth Corps	79,073	16,363
	Growing in the Garden for Child Care and		
Louisa County Ag Extension	Early Childhood Educators	7,795	5,000
	<b>TOTAL</b>	<b>401,357</b>	<b>151,950</b>

Ross Harrison, REAP Coordinator  
Conservation and Recreation Division  
January 8, 2009

### Informational Item Only

Moved – n/a

Seconded – n/a

Discussion – Commissioner Rettig asked for approved and unapproved grants to place in public domain to reflect the need for more funding.

Motion – Informational Item Only

### **17. Agreement with Iowa Native Seed Growers Association, Iowa Chapter of Pheasants Forever, and DNR for the Habitat Check-off Program**

The Commission is requested to approve an agreement with Iowa Native Seed Growers Association, Iowa Chapter of Pheasants Forever, and DNR for the Habitat Check-off Program. This agreement is an extension of an established program that has been in effect for 6 years and has helped to facilitate a great partnership between the Iowa Native Seed Growers Association, Pheasants Forever, and the Iowa Department of Natural Resources.

The agreement is designed to be entered into between the Iowa Department of Natural Resources, Iowa Chapter of Pheasants Forever, and the Iowa Natives Seed Growers Association (INSGA). INSGA agrees to donate 10% of seed sales that are accompanied with a Habitat Check-off Certificate to an account that is split equally between IDNR and PF. The IDNR will manage the account including; providing fiscal administration to accept funds from the



participating seed dealers, providing fiscal accountability, including handling request for information, auditing overview, and payment disbursement to Pheasants Forever and INSGA members to the satisfaction of all parties. Money made available from this agreement to DNR will be used solely to promote and establish better habitat utilizing native plant materials. Money may also be used to leverage grants for similar purposes. Landowners receiving seed resulting from this agreement as a cost-share will be encouraged to purchase seed from one the seed growers who is working with INSGA as a voluntary partner to this program.

The amount of the agreement is tied directly to the amount of funds that are donated to the Habitat Check-off Account which is tied directly to the number of landowners that use a Habitat Check-off Certificate when they purchase seed from one of the INSGA growers.

Over the last 6 years the majority if the funds in the Habitat Check-off Account have been used to provide cost-share to landowners to purchase native grassland plant material including seed or plugs. The funds have also been used for advertisement of the program and promoting the use of native plant materials in conservation practices. The account has also been used to leverage grant funds that provided cost-share to landowners for establishing native grassland species for the benefit of wildlife.

Dale Garner, Wildlife Bureau Chief  
Conservation and Recreation Division  
January 8, 2009

Moved – Commissioner Rettig Seconded - Commissioner Kircher Discussion – None Motion – Commissioner Francisco abstained from vote due to self-reported conflicts of interest. Carried by 6-0-1
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#### **18. Agreement with Northeast Iowa RC&D and the Natural Resources Conservation Service**

The Commission is requested to approve an agreement among the Department, Northeast Iowa RC&D, and the Natural Resources Conservation Service (NRCS). The primary purpose of this agreement will be to fund a person to work with private landowners utilizing best management practices that improve water quality and wildlife habitat in “impaired” coldwater streams and related watersheds in Winneshiek and Allamakee Counties. This agreement will further achieve the goals of the Iowa Department of Natural Resources Fisheries and Wildlife Bureau and 319 Program.

The Wildlife Bureau in partnership with the Fisheries Bureau successfully applied for a 319 grant, a federal award made available through the Environmental Protection Agency and the Environmental Services Division of the Department. This contract will enable the Department to put a person on the ground who will work with private landowners in impaired coldwater stream watersheds in the Driftless Area. The position will focus on watersheds of streams in Winneshiek and Allamakee County.

The individual would not be an employee of the DNR but, instead, would be employed by the Northeast Iowa RC&D and housed out of the Decorah USDA office.

The funding for the position will be ¼ Wildlife Bureau, ¼ Fisheries Bureau (1/2 Trust Fund), ¼ 319 funding, and ¼ NRCS (in-kind match of needs such as office space, vehicle, phones).

The total cost of the agreement to the DNR will be for \$33,000 - \$37,000, depending on the experience of the successful candidate.

Dale Garner, Wildlife Bureau Chief  
Conservation and Recreation Division  
January 8, 2009

Moved – Commissioner Francisco Seconded - Commissioner Drees Discussion - None Motion – Carried by unanimous vote
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### **19. Hardwood Timber Sale Yellow River State Forest**

The Natural Resource Commission is asked to approve the sale of an estimated 91,700 board feet of mixed hardwood trees at the Yellow River State Forest. The sale consists of 419 trees.

Species	Total Volume (bd.ft.)	# of Trees
Red Oak	76600	300
White Oak	6940	59
Hard Maple	1100	13
White Ash	3220	19
Elm	60	2
Basswood	220	3
Aspen	3440	22
Hickory	120	1
<b>Total Sale Vol.</b>	<b>91700</b>	<b>419</b>

Total # of culls

18

An even-aged management system will be used in accordance with the Yellow River State Forest Management Plan to remove the stand by clear-cutting. The harvest will allow sunlight to stimulate the growth of 15,000 to 20,000 oak seedlings already present on the site. Prescribed fire may be used periodically as a management tool to stimulate oak regeneration and control competing vegetation after the harvest.

A natural areas inventory was conducted and there are no known threatened and endangered species in the harvest area. Many aspen and oaks in this stand are declining due to disease. Harvesting and regenerating this stand will help prevent the spread of disease throughout the surrounding forest.

Wildlife den trees will not be marked and will be left standing. Best management practices (BMP's) will apply to the site. No tops or harvesting residue will be left in adjacent waterways. Harvesting is to occur only when ground is firm or frozen to minimize soil disturbance. Skid trails and landing areas will be repaired following the harvest. No skid trails will be allowed in the SMA (within 50 feet of the adjacent waterway) except at designated stream crossings.

The following bids were received for the sale:

<b>Company</b>	<b>Location</b>	<b>Amount of Bid</b>
Nelson Hardwoods	Prairie du Chien, WI	\$33,853.00
Dan Jones Logging	Waterville, IA	\$33,680.00
Grau Logs & Lumber	Elkader, IA	\$31,233.00

The Commission is requested to approve a contract with the high bidder, Nelson Hardwoods for \$33,853.00.

Paul Tauke, Forestry Bureau Chief  
Conservation and Recreation Division  
January 8, 2009

*Attachment:*

Notice of Timber for Sale

November 12, 2008

### **NOTICE OF TIMBER FOR SALE**

The State of Iowa is offering approximately **91,700** board feet (Scribner) of timber in **419** trees located on the Yellow River State Forest. Trees are marked with **blue** paint. The trees are located on areas as shown on the enclosed maps. Bidders should satisfy themselves by examination as to the quality and quantity of timber offered. The timber is accessible through state land.

<b>Species</b>	<b>Total Volume (bd.ft.)</b>	<b># of Trees</b>
Red Oak	76600	300
White Oak	6940	59
Hard Maple	1100	13
White Ash	3220	19
Elm	60	2
Basswood	220	3
Aspen	3440	22
Hickory	120	1
<b>Total Sale Vol.</b>	<b>91700</b>	<b>419</b>

Total # of culls 18

\* There are an additional 18 cull trees marked with a blue "X". These trees may be harvested, but are not included in the BF volume of the sale.

Sealed bids will be received until **2:00 pm, Thursday, December 4th, 2008** at which time bids will be opened. The sale will be awarded to the highest bidder, except that the seller reserves the right to reject any or all bids.

Mail or deliver bids to **Bob Honeywell, Area Forester, Yellow River State Forest, 729 State Forest Road, Harpers Ferry, IA. 52146.** (phone 563-586-2254). Telephoned bids will not be accepted. Bids will be opened at the forest headquarters.

The successful bidder must execute a timber sale contract with the State of Iowa within 14 days after notification that the sale has been approved.

Trees must be removed by **April 13, 2009**. Liability insurance is required. Buyers must be bonded.

Special Conditions.

1. Bob Honeywell, Area Forester, will be notified when the logger is operating on the sale area.
2. Logging and transporting of logs will be permitted only when the ground is firm.
3. Trails and access lanes, rivers, and streams must be left free of tops and debris. All trails must be left smooth and without ruts.
4. The areas are open to logging activities from **September 17 through April 13** each year.
5. Best Management Practices as described in *Iowa Forestry Best Management Practices* are to be followed particularly when working around or across water courses.
6. All skid routes and landings will be approved prior to harvest with the Area Forester.

For further information, contact Bob Honeywell, Area Forester at (563) 586-2254.

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Amount bid for 419 trees with an estimated 91,700 board feet of timber on the Paint Creek Unit of Yellow River State Forest

\$ \_\_\_\_\_

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Bidder

This bid must be signed by the person submitting the bid. Please write **“sealed bid”** on the outside of the envelope so it will not be opened by mistake.

Moved – Commissioner Drees Seconded - Commissioner Francisco Discussion - None Motion – Carried by unanimous vote
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## **20. Hardwood Timber Sale North and South Bear Wildlife Areas**

The Natural Resource Commission is asked to approve the sale of an estimated 134,470 board feet of mixed hardwood trees at the North Bear and South Bear Wildlife Areas. The sale consists of 1,319 trees.

<b>SPECIES</b>	<b># OF TREES</b>	<b>AV. BD. FT./TREE</b>	<b>EST. BD. FT.</b>
Red, Black Oak	177	193	34,150
White, Bur Oak	384	137	52,510
White Elm	30	106	3,180
Red Elm	24	98	2,340
Basswood	53	133	7,030
Hard Maple	38	103	3,920
Ash	35	123	4,320
Black Cherry	32	95	3,050
Hickory	68	89	6,080
Hackberry	3	90	270
Butternut	3	143	430
Cottonwood, Aspen	76	121	9,160
Walnut	60	134	8,030
Culls	336		
<b>Totals</b>	<b>1,319</b>		<b>134,470</b>

The harvests will accomplish 14 acres of early successional habitat, 21 acres of clearcuts which will be planted, and 26 acres of improvement cut that will remove scattered large trees in pole sized stands. Crop tree release work will be conducted on these areas following the harvest. These management practices are in accordance with the North Bear and South Bear Forest Stewardship Plans. The harvesting is being conducted specifically to improve habitat for game and non-game wildlife species including: ruffed grouse, woodcock, deer, turkey, warblers, cuckoo, and eastern towhee.

A natural areas inventory was conducted, and there are no known threatened and endangered species in the harvest area. Wildlife den trees will not be marked and will be left standing. Best management practices (BMP's) will apply to the site. No tops or harvesting residue will be left in adjacent waterways. Harvesting is to occur only when ground is firm or frozen to minimize soil disturbance. Skid trails and landing areas will be repaired following the harvest. No skid trails will be allowed in the SMA (within 50 feet of the adjacent waterway) except at designated stream crossings.

The following bids were received for the sale:

Company	Location	Amount of Bid
Meyer Timber Co.	New Albin, IA	\$40,000.00
Jones Wood Heating and Logging	McGregor, IA	\$34,293.00
Dan Jones Logging	Waterville, IA	\$34,035.00
Charles Downs	Fayette, IA	\$30,110.00
Jackson Pallet and Lumber/ Sitco Inc.	Dubuque, IA	\$25,368.00

The Commission is requested to approve a contract with the high bidder, Meyer Timber Co. for \$40,000.00.

Paul Tauke, Forestry Bureau Chief  
Conservation and Recreation Division  
January 8, 2009

*Attachment:*  
Notice of Timber for Sale

October 27, 2008

Gentlemen:

Enclosed is a "Notice of Timber for Sale" for 1,319 trees owned by Iowa Department of Natural Resources. The trees contain an estimated 134,470 board feet, Scribner tree scale.

The trees are located in the Highlandville area, which is northern Winneshiek County. The location of the timber is outlined on the attached aerial photo.

The trees to be sold are marked with orange paint. The walnut trees are numbered and their approximate locations are marked on the map. The remaining trees are marked with a band of orange paint. The "cull" trees are marked with an "X". The trees will be sold on a lump sum, sealed bid sale. ***The successful bidder will pay the full amount in advance of cutting and within 10 days after the bid is accepted.*** The successful bidder will also enter into a timber contract with the State of Iowa within 10 days of the bid acceptance. The buyer will have **24 months** from the date of the contract to remove the trees. The ground must be dry or frozen during the logging operation. The sale does include the rights to all tops.

**Logging or hauling will not be allowed during the December shotgun deer seasons, which are the first 3 weeks of December. Also no logging will allowed April 1 through July 31.**

**Logging and hauling must take place when the ground is firm or frozen, and the crops must be out. All wood must be removed from the fields.**

After the bids are opened, the sale must be approved by the Natural Resources Commission. Approval will be at the **January** Natural Resources meeting. The high bidder will be notified after the bid is accepted and arrangements will be made for the signing of the contract and full payment for the trees.

Anyone working on State Land must have proof of liability insurance. Upon signing of the contract, you will be required to provide proof of insurance. The minimum coverage required to work on State Land is –

Bodily Injury - \$100,000 per person, \$300,000 per accident.

Property Damage - \$50,000 per accident, \$100,000 aggregate.

All bids must be submitted in writing and sealed in an envelope to **Gary Beyer, District Forester, 621 Beck St., Charles City, Iowa 50616**. The words “*South Bear Timber Sale*” must be written on the envelope so it isn’t opened by mistake. The bids will be opened at my office in Charles City at **1:00 p.m., Friday, December 5, 2008**. All bids must be received prior to this time. Absolutely no late bids, fax bids, or telephone bids will be accepted.

You can access the area by obtaining a key from Terry Haindfield. Terry’s office is located at the FSA building east of Decorah. You will need to call Terry ahead of time. You can also go around the gates on a 4 wheeler and look at the sale areas. If stopped by a Conservation Officer, show a copy of the bid sheet and explain that you are looking at the timber sales. Terry has notified the officers that you may be on the property.

You will need to cross the properties of Mitch Stortz, Frank Lorenz, and Arnie Weiss. Attached are “Timber Access Agreement” forms signed by each of these landowners. It is important that you not travel on their property unless the ground is firm and you will **not** make ruts in the fields.

Please feel free to contact me if you have any questions.

Respectfully,  
Gary Beyer, District Forester  
621 Beck St.  
Charles City, IA 50616  
641/228-6611

Moved – Commissioner Rettig Seconded - Commissioner Francisco Discussion – None Motion – Carried by unanimous vote
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## **21. General Discussion**

- Commissioner Bird inquired about the ‘Junk Tree’ program which would allow public to remove such trees. Forester Jeff Goerndt responded that at some state forest this is done by use of a firewood permit which is approximately \$10.00 per cord. Commissioner Bird asked if this information is available on the Forestry section of the DNR website. Forestry Bureau Chief Paul Taulke stated he did not believe it currently is but will verify, it would be easy enough to place the information on the site.

- Commissioner Francisco extended thanks for duplexing the meeting minutes. He thought it was very nice to see the conservation effort. He also would like to see the new video 'A Living Legacy' utilized at the hunter education program.
- Commissioner Garst thanked the forestry bureau for the packet of information on oak trees; she will be reviewing the packet and looks forward to further discussions on the topic.
- Commissioner Garst proposed to elect commission chair vs. rotating the responsibility. She proposed adding this as an agenda item at the next meeting in February. All concurred.
- Commissioner Rettig urged fellow commissioners to contact their legislatures and encourage those individuals to attend the upcoming DNR Legislative breakfast.
- Commissioner Garst expressed regret that the commission will have the opportunity to meet with legislators on the upcoming DNR legislative agenda when they (commission) have not discussed it.
  - Director Leopold apologized to an extent stating that the brainstorming items and information from the last joint EPC/NRC Commission meeting was meshed with staff and sent Governor's Office and they sent back what they would allow do and we are now going with that. He acknowledged in the last few steps more communication should have transpired. He offered that for next year's planning; at the November NRC meeting have a set agenda item for discussion of items they would like to see.

## **22. Items for Next Meeting**

### **Next Meetings:**

- February 12, 2009 – Polk County
  - Presentation Day:
    - Honey Creek Resort Update
    - NRC Commission Election
    - Legislative Initiative Review
- March 12, 2009 – Wright County

### **Adjourn:**

Moved – Commissioner Kircher  
 Seconded - Commissioner Francisco  
 Motion – Carried by unanimous vote